IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 22467 of 2007(Y)

PETITIONER:

THE MANAGER, C.V.M. HIGH SCHOOL,
VANDAZHI,PALAKKAD.

BY ADV. SRI.V.CHITAMBARESH
SRI.T.C.SURESH MENON
SRI.JIBU P THOMAS

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO THE GENERAL EDUCATION (A) DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF EDUCATION, PALAKKAD.

3. K.V. JANAKI,RETIRED HEADMISTRESS, RESIDING AT "ATHIRA", VANDAZHI, PALAKKAD.

BY SR. GOVT. PLEADER SRI. T.T. MUHAMOOD
ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO 22467/07

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. COPY OF THE ORDER ISSUED BY THE THIRD RESPONDENT DT. 24.10.05

EXT.P2. COPY OF THE ORDER ISSUED BY THE SECOND RESPONDENT DT. 11.11.05

EXT.P3. COPY OF THE JUDGMENT IN W.P.(C) NO. 22884/06 ON THE FILE OF THIS HON'BLE COURT DT. 9.10.06

EXT.P4. COPY OF THE NOTICE ISSUED BY THE FIRST RESPONDENT DT. 4.1.07

EXT.P5. COPY OF THE OBJECTION SUBMITTED BY THE PETITIONER TO THE NOTICE OF HEARING DT. 16.1.07

EXT.P6. COPY OF THE ORDER ISSUED BY THE FIRST RESPONDENT DT. 19.5.07

EXT.P7. COPY OF THE JUDGMENT IN W.P.(C) NO. 16641/07 ON THE FILE OF THIS HON'BLE COURT DT. 15.6.07.

/TRUE COPY/

PA TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NO. 22467 OF 2007

Dated this the 22nd day of August, 2007

J U D G M E N T

Having heard learned counsel for the parties and having perused the order impugned in this writ petition, I am satisfied that the said order is liable to be quashed for the sole reason that it was passed by an officer who had not heard the parties. It is seen that the order was passed by the officer on the basis of the notes prepared by his predecessor, who had heard the parties.

Therefore, the writ petition is disposed of with a direction to respondent No.1 to pass fresh orders in the matter after hearing the parties concerned. This shall be done, as expeditiously as possible, at any rate, within two months from the date of receipt of a copy of this judgment.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007